

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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5 THE BOARD OF TRUSTEES OF
6 THE LABORERS HEALTH AND
7 WELFARE TRUST FUND FOR
8 NORTHERN CALIFORNIA, et al.,

9 Plaintiffs,

10 v.

11 JORGE EDGARD QUINONES, et al.,

Defendants.

12 NO. C09-0272 TEH

13 ORDER OF DISMISSAL

14 This case was reassigned to this Court following Plaintiffs' notice of settlement and a
15 recommendation by Magistrate Judge Wayne Brazil that Plaintiffs' request for a conditional
16 thirty-day dismissal with prejudice be granted. The Court has reviewed the recommendation
17 and the record in this case, and it agrees with Judge Brazil's recommendation. Accordingly,
18 with good cause appearing, IT IS HEREBY ORDERED that this action be dismissed with
19 prejudice, provided that if any party certifies to this Court within thirty days of the date of
20 this order, with proof of service of a copy of the certification on opposing counsel, that the
21 agreed consideration for the parties' settlement has not been delivered over, the foregoing
22 order shall stand vacated and this case shall be reopened and restored to the calendar to be set
23 for trial. IT IS FURTHER ORDERED that Plaintiffs' motion for default judgment is deemed
24 withdrawn in light of Plaintiffs' notice of settlement.

25 **IT IS SO ORDERED.**

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27 Dated: 08/26/09



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THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT